

ROYAL SPRINGS CORPORATION,	:	Order Docketing and Dismissing
Appellant	:	Appeal as Premature
	:	
v.	:	
	:	Docket No. IBIA 97-80-A
DIRECTOR, PALM SPRINGS FIELD	:	
OFFICE, BUREAU OF INDIAN	:	
AFFAIRS,	:	
Appellee	:	January 7, 1997

On December 20, 1996, the Board of Indian Appeals received a notice of appeal from the Royal Springs Corporation, through counsel, Richard F. Volker, Esq., San Diego, California. The notice is addressed jointly to the Sacramento Area Director, Bureau of Indian Affairs (Area Director; BIA), and this Board. It seeks review of a November 15, 1996, decision issued by the Director, Palm Springs Field office, BIA (Office Director).

It appears likely that appellant was uncertain as to how to file its appeal because the Office Director's decision stated that any appeal was to be filed under 43 CFR 4.310-4.340, the Board's procedural regulations, even though the appeal was to be taken to the Area Director. The Office Director should have cited 25 CFR Part 2, BIA's appeal regulations.

Appellant's appeal should be before the Area Director. In order to ensure that there is no confusion on this point, the Board docketed this appeal but dismisses it as premature.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4. 1, this appeal is docketed but is dismissed as premature.

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Anita Vogt  
Administrative Judge

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Kathryn A. Lynn  
Chief Administrative Judge